



CITY OF SUNNYVALE ADMINISTRATIVE HEARING

**MINUTES
Wednesday, September 14, 2005**

2005-0779 – Application for a Variance from Sunnyvale Municipal Code section 19.34.030 to allow a five-foot side-yard setback where the addition encroaches into the required total side yard setback. The property is located at **383 Stowell Avenue** (near Chestnut Ave) in an R-O (Low-Density Residential) Zoning District. (APN: 204-33-003)

In attendance: Becky Horton, Applicant; Tom Harvey, Neighbor; Gerri Caruso, Administrative Hearing Officer; Jamie McLeod, Project Planner, Luis Uribe, Staff Office Assistant.

Ms. Gerri Caruso, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Ms. Caruso announced the subject application.

Jamie McLeod, Project Planner, stated that the applicant is proposing to remove the existing sunroom and add a 329 square foot one-story addition to the rear of the existing 977 square foot one-story house to allow for a large family room and second bathroom/utility room.

The Variance is for a small section of the addition located along the right side of the house. The applicant would like to continue the existing plane of the house, which is legal non-conforming, for a distance of 6 feet before jogging it in 2 feet for a 7 foot side yard setback for the remainder of the addition. Given the configuration of the left side of the house, this would result in the first 5 feet of the addition not meeting the Code requirement for a total side yard setback of 12 feet, despite the fact it was continuing along the existing plane of the house. The remainder of the proposed addition meets Code requirements.

Ms. Caruso opened the public hearing.

Becky Horton, Applicant, received and reviewed the staff report. Had questions regarding the Conditions of Approval and made it clear that she want to save as many trees as possible on her property.

Ms. Caruso verified some of Ms. Horton's questions.

Ms. McLeod clarified that Condition of Approval D1 was to be conducted during construction.

Tom Harvey, Neighbor, had questions regarding the type of roofing material that was going to be used for the applicants project.


Ms. Caruso closed the public hearing.

Ms. Caruso approved the application subject to the findings and the Conditions of Approval. The applicant must submit a Tree Protection Plan to the Project Planner prior to applying for the Building Permit.

Ms. Caruso stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.

The meeting was adjourned at 2:37 p.m.

Minutes approved by:

A handwritten signature in cursive script, appearing to read "Gerri Caruso", is written over a horizontal line.

Gerri Caruso, Principal Planner